

# EXHIBIT 2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Ward et al.  
Serial No. : 10/085,239  
For : GENES  
Filed : February 27, 2002  
Examiner : Leslie A. Royds  
Art Unit : 1614

745 Fifth Avenue  
New York, NY 10151

**FILED VIA EFS-WEB**  
**ON OCTOBER 19, 2007**

Commissioner for Patents,  
P.O. Box 1450,  
Alexandria, VA 22313-1450

**Declaration by Prof Dr Hans C. Korting**

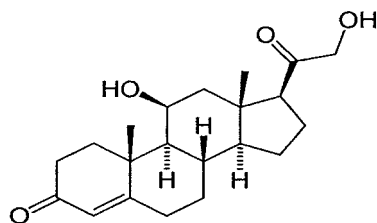
Dear Sir:

I, Prof Dr Hans C Korting, of Im Dol 54, D-14195, do solely and sincerely state as follows:

1. Attached is my Curriculum vitae (Exhibit A). In view of my education, training and experience, I consider myself qualified to express the opinions stated herein.
2. I was asked by the Applicants for US application no. 10/085,239 to read WO 97/15298 by Burchardt et al entitled "Combination of LTD<sub>4</sub> receptor antagonists

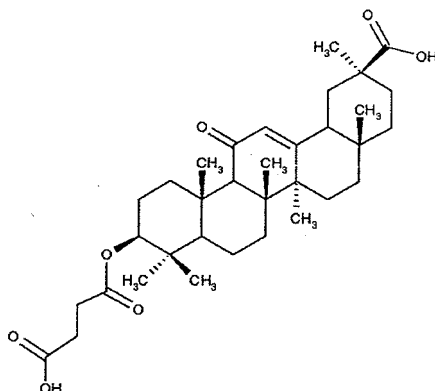
with glucocorticosteroids” to determine what a skilled person would understand from this document.

3. I would not sincerely consider using all the compounds listed on page 2 as “GCSs” for the reason that some of them are not GCSs. Some non-GCSs appear to have been included in WO 97/15298 in error.
4. GCSs have a core structure of four fused rings: three of these rings are 6-membered rings and one is a 5-membered saturated ring and they have 21 carbon atoms. The following is the chemical structure of cortisol (or hydrocortisone), the most important GCS.



Cortisol

5. In contrast, carbenoxolone has a core of five fused rings, all of these rings are 6-membered and a total of 34 carbon atoms.



Carbenoxolone

Furthermore, corticotropin, also known as adrenocorticotropin hormone (ACTH), is polypeptide hormone of 39 amino acids. Therefore carbenoxolone (page 2 line 7) and corticotropin (page 2 line 8) are clearly not GCSs. For at least the reason that carbenoxolone and corticotropin are clearly not GCSs, I would not use either of

them in the context under consideration.

6. I consider that the conclusions set out above are fairly based on the contents of WO97/15298.
7. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that the statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under §1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the Application for any patent issuing thereon.

Date: March 30, 2007

Signed: H. C. Korting  
Prof Dr Hans C Korting